

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB02,742-F (400/131))

IN THE APPLICATION OF:

McSwiggen, *et al.*

Serial No. 10/665,951

Filed: September 18, 2003

Title RNA Interference Mediated Inhibition
Of Vascular Endothelial Growth
Factor And Vascular Endothelial
Growth Factor Receptor Gene
Expression Using Short Interfering
Nucleic Acid (siNA)

Examiner: To Be Assigned

Group Art Unit: 1635

Confirmation No.: 8325

Fax No.: (703) 746-9195

TRANSMITTAL LETTERCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450Attn: Office of Initial Patent Examination's
Filing Receipt Corrections

Dear Sir:

In regard to the above identified application,


1. We are transmitting herewith the attached:

- a) Request for Corrected Filing Receipt;
- b) Copy of Filing Receipt with changes noted thereon;
- c) Copy of Preliminary Amendment filed on 11/19/04; and
- d) Return postcard

2. With respect to fees:

- a) It is believed no fee is due at this time.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (Fax No. (703) 746-9195) on December 3, 2004.Respectfully submitted,
McDonnell Boennen Hulbert & Berghoff LLPDate: December 3, 2004By: 
Lisa M.W. Hillman
Registration No. 43,673McDonnell Boennen Hulbert & Berghoff LLP
300 South Wacker Drive, Suite 3200
Chicago, IL 60606

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REQUEST FOR CORRECTED FILING RECEIPTMail Stop OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Attention: Office of Initial Patent Examination's
Filing Receipts Corrections

- Attached is a copy of a filing receipt received from the PTO in the above-referenced application for which issuance of a new corrected filing receipt is respectfully requested.
- There is an error with respect to the following data, which is incorrectly entered.
Error in
Domestic Priority data as claimed by applicant

Title:

RNA Interference Mediated Inhibition of Vascular Edothelial Growth Factor And
Vascular Edothelial Growth Factor Receptor Gene Expression Using Short
Interfering Nucleic Acid (siNA)MCDONNELL BOEHLEN HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, SUITE 3100
CHICAGO, ILLINOIS 60606
TELEPHONE: (312) 913-0001
FACSIMILE: (312) 913-0002

1

APPLICATION NO. 10/665,951
ATTORNEY DOCKET NO. MBHB02-742-F (400/131)

Correct Data

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/664,767 09/16/2003
which is a CIP of PCT/US03/05022 02/20/2003
which claims benefit of 60/358,580 02/20/2002
and claims benefit of 60/363,124 03/11/2002
and claims benefit of 60/386,782 06/06/2002
and claims benefit of 60/393,796 07/03/2002
and claims benefit of 60/399,348 07/29/2002
and claims benefit of 60/406,784 08/29/2002
and claims benefit of 60/408,378 09/05/2002
and claims benefit of 60/409,293 09/09/2002
and claims benefit of 60/440,129 01/15/2003
and said PCT/US03/05022 02/20/2003
is a CIP of 10/306,747 11/27/2002
which claims benefit of 60/334,461 11/30/2001
and said PCT/US03/05022 02/20/2003
is a CIP of 10/287,949 11/04/2002
and a CIP of PCT/US02/17674 05/29/02

Title:

RNA Interference Mediated Inhibition Of Vascular Endothelial Growth Factor
And Vascular Endothelial Growth Factor Receptor Gene Expression Using Short
Interfering Nucleic Acid (siNA).

3. In connection with this request, Applicant is submitting a copy of the Preliminary
Amendment filed on November 19, 2004 to reflect the correct title.

APPLICATION NO. 10/665,951
ATTORNEY DOCKET NO. MBHB02-742-F (400/131)

4. Applicant believes that no fee is due in connection with this filing, however, if a fee is due, the Commissioner is authorized to charge our deposit account number 13-1249.

Respectfully submitted,
McDonnell, Boehnen, Hulbert & Berghoff LLP

Date: December 3, 2004

By: 

Lisa M.W. Hillman
Registration No. 43,673

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/665,951	09/18/2003	1835	561	MBHB02-742-F (400/131)	19	36	4

CONFIRMATION NO. 8325

020306

MCDONNELL BOEHNNEN HULBERT & BERGHOFF
300 SOUTH WACKER DRIVE
SUITE 3200
CHICAGO, IL 60606

FILING RECEIPT

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100
"OC000000011483284"

Date Mailed: 12/12/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James McSwiggen, Boulder, CO;
Leonid Beigelman, Longmont, CO;
Pamela Pavco, Lafayette, CO;

Domestic Priority data as claimed by applicant

Foreign Applications

UNITED STATES OF AMERICA PCT/US03/05022 02/20/2003
UNITED STATES OF AMERICA PCT/US02/17674 05/29/2002

If Required, Foreign Filing License Granted: 12/12/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

BEST AVAILABLE COPY Page 2 of 2

RNA interference mediated inhibition of vascular endothelial growth factor and vascular endothelial growth factor receptor gene expression using short interfering nucleic acid (siNA)

Preliminary Class
514

RNA Interference Mediated Inhibition of Vascular Endothelial Growth factor And Vascular Endothelial Growth factor Receptor Gene Expression Using Short Interfering Nucleic Acid (siNA)

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PATENT

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4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19 day of November, 2004.

Date: November 19, 2004By: 
Lisa M.W. Hillman
Reg. No. 43,673MCDONNELL BOEHNNEN HULBERT & BERGHOF
300 SOUTH WACKER DRIVE
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Hon. Commissioner of
Patents and Trademarks
Re: Applicant - McSwiggen et al.

S/N: 10/685,951

Atty: LMWH/EO
Case No. MBHB02-742-F (400/131)

"RNA Interference Mediated Inhibition Of Vascular Endothelial Growth Factor And Vascular Endothelial Growth Factor Receptor Gene Expression Using Short Interfering Nucleic Acid (siNA)"

Sir: Please place the Patent Office receipt stamp hereon and mail to acknowledge receipt of:

- ☒ Transmittal Letter (in duplicate)
- ☒ Preliminary Amendment
- ☒ Other: NONE

Fee Enclosed
\$ -0-

Respectfully,
McDonnell Boenken Hulbert & Berghoff LLP
Attorney for Applicant

Date Mailed: November 19, 2004